| | Application No. | Applicant(s) |
|---|---|---|
| **Notice of Allowability** | 09/816,038 | MEDWICK ET AL. |
| | Examiner | Art Unit | |
| | Kelly L. Jerabek | 2622 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--*
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *After Final Amendment filed 4/27/2006*.

2. ☒ The allowed claim(s) is/are *1-28*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None  of the:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

       3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the
          International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached

       1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of
       Paper No./Mail Date _____.

    **Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**
1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____ .

## DETAILED ACTION

## EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be

submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview

with Farshad Farjami on 5/10/2006.

The application has been amended as follows:

Please amend claim 21 as follows:

In line 13 replace "an" with "a".

Please amend claim 22 as follows:

In line 10 replace "thirteenth" with "fourth".

In line 13 replace "fourth" with "fifth".

In line 15 replace "fifth" with "sixth".

In line 17 replace "sixth" with "seventh".

In line 21 replace "seventh" with "eighth".

Please amend claim 23 as follows:

In line 10 replace "store" with "stores".

### *Allowable Subject Matter*

**Claims 1-28 are allowed.**

The following is an examiner's statement of reasons for allowance:

Re claims 1-6 and 26, the prior art does not teach or fairly suggest "A method of adjusting image lighting, the method comprising: generating a preparatory light...; capturing a preparatory image...; determining an average preparatory image luminance...; generating a supplemental strobe duration...; and **generating a look-up table storing associated image strobe durations and power values including a preparatory image strobe duration and associated preparatory power value**".

Re claims 7-13 and 27, the prior art does not teach or fairly suggest "A memory having machine readable instructions for adjusting image lighting, the memory

comprising: a first set of instructions for acquiring a preparatory image...; a second set of instructions for determining an average preparatory image luminance...; a third set of instructions for generating a supplemental strobe duration...; and **a set of instructions for generating a look-up table storing associated image strobe durations and power values including a preparatory image strobe duration and associated preparatory power value**".

Re claims 14-17 and 28, the prior art does not teach or fairly suggest "A digital imaging system comprising: a processor electrically connected to a strobe; an image sensor coupled to a memory...; **wherein the processor access a look-up table in the memory that stores image strobe durations and power values including a preparatory strobe duration and an associated preparatory power value**".

Re claim 18, the prior art does not teach or fairly suggest "A method of adjusting image lighting on a preparatory image comprising: generating preparatory light, determining an average preparatory image luminance and generating a supplemental strobe duration, **wherein the system in capable of generating a look-up table that stores image strobe durations and power values including a preparatory image strobe duration and an associated preparatory power value and generating an adjustment factor by dividing a predetermined target luminance by the average image luminance**".

Re claims 19, the prior art does not teach or fairly suggest "A method of adjusting image lighting on a preparatory image comprising: generating a preparatory light...; determining an average preparatory image luminance...; generating a supplemental strobe duration; wherein the system is capable of generating a look-up table that stores image strobe durations and power values including a preparatory image strobe duration and an associated preparatory power value; generating a light adjustment factor...; multiplying the preparatory value by the light adjustment factor...; **and generating a final image strobe duration by interpolating the first and second image strobe durations in accordance with the target look-up table power value"**.

Re claims 20, the prior art does not teach or fairly suggest "A method of adjusting image lighting on a preparatory image comprising: generating preparatory light...; determining an average preparatory image luminance...; generating a supplemental strobe duration...; **generating a look-up table storing associated image strobe durations and luminance power values including a preparatory image strobe duration and a preparatory value; and accessing the look-up table based on the average image luminance"**.

Re claim 25, the prior art does not teach or fairly suggest, "A digital imaging system comprising: a processor connected to a strobe; and an image sensor coupled to a memory..., **wherein the processor is capable of accessing a look-up table in the memory that stores image strobe durations and power values including a**

**preparatory image strobe duration and an associated preparatory power value to generate an adjustment factor by dividing a predetermined target luminance by the average image luminance power value and then multiplying the adjustment factor by the preparatory luminance power value to derive the target luminance power value that corresponds to an identified strobe duration in the look-up table".**

Re claim 21, the prior art does not teach or fairly suggest, "A memory having machine readable instructions for execution by a processor to adjust image lighting on a preparatory image, the memory comprising: a first set of machine readable instructions for acquiring a preparatory image; a second set of machine readable instructions for determining an average preparatory image luminance...; a third set of machine readable instructions for generating a supplemental strobe duration...; **a fourth set of machine readable instructions for generating a look-up table that stores associated image strobe durations and power values including a preparatory image strobe duration and an associated preparatory power value**; a fifth set of machine readable instructions for multiplying the preparatory luminance power value by the adjustment factor to generate a target luminance power value; and a sixth set of machine readable instructions for identifying, in the look-up table, an identified strobe duration corresponding to the target luminance power value, the identified strobe duration being the supplemental strobe duration".

Re claim 22, the prior art does not teach or fairly suggest " A memory having machine readable instructions for execution by a processor to adjust image lighting on a preparatory image, the memory comprising: a first set of machine readable instructions for acquiring a preparatory image; a second set of machine readable instructions for determining an average preparatory image luminance...; a third set of machine readable instructions for generating a supplemental strobe duration...; **a fourth set of machine readable instructions for generating a look-up table that stores associated image strobe durations and power values including a preparatory image strobe duration and an associated preparatory power value**; a fifth set of machine readable instructions for generating a light adjustment factor by dividing a predetermined target luminance by the average image luminance; a sixth set of machine readable instructions for multiplying the preparatory luminance power value by the adjustment factor to generate a target luminance power value; a seventh set of machine readable instructions for identifying, in the look-up table, an identified strobe duration corresponding to the target luminance power value, the identified strobe duration being the supplemental strobe duration; and an eighth set of machine readable instructions for generating a final image strobe duration by interpolating the first and second image strobe durations in accordance with the target look-up table power value".

Re claims 23 and 24, the prior art does not teach or fairly suggest " A memory having machine readable instructions for execution by a processor to adjust image

lighting on a preparatory image, the memory comprising: a first set of machine readable

instructions for acquiring a preparatory image; a second set of machine readable

instructions for determining an average preparatory image luminance...; a third set of

machine readable instructions for generating a supplemental strobe duration...; **a**

**fourth set of machine readable instructions for generating a look-up table that**

**stores associated image strobe durations and luminance power values including**

**a preparatory image strobe duration and a preparatory power value, wherein the**

**instructions that determine the supplemental strobe duration access the look-up**

**table based on the average image luminance and at least one luminance power**

**value is used to generate the supplemental strobe duration".**

Any comments considered necessary by applicant must be submitted no later

than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee.  Such submissions should be clearly labeled "Comments on
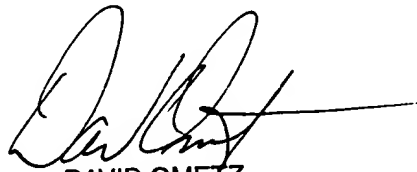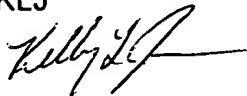
Statement of Reasons for Allowance."

### *Contacts*

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kelly L. Jerabek whose telephone number is  **(571) 272-**

**7312**.  The examiner can normally be reached on Monday - Friday (8:00 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David Ometz can be reached on **(571) 272-7593**. The fax phone number

for submitting all Official communications is **(703) 872-9306**. The fax phone number for

submitting informal communications such as drafts, proposed amendments, etc., may

be faxed directly to the Examiner at **(571) 273-7312**.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).


KLJ

DAVID OMETZ
SUPERVISORY PATENT EXAMINER